

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

**IN RE BARD IVC FILTERS  
PRODUCTS LIABILITY LITIGATION**

No. MD-15-02641-PHX-DGC

This Document Relates to Plaintiff Pamela Edwards, as Legal Guardian of Xavier Block, 2:17-cv-04173-DGC

**FIRST AMENDED SHORT FORM  
COMPLAINT FOR DAMAGES FOR  
INDIVIDUAL CLAIMS AND  
DEMAND FOR JURY TRIAL**

Plaintiff(s) named below, for their Complaint against Defendants named below, incorporate the Master Complaint for Damages in MDL 2641 by Reference [*Doc. 364*]. Plaintiff(s) further show the Court as follows:

1. Plaintiff:

Xavier Block

2. Spousal Plaintiff/ Deceased Party's spouse or other party making loss of consortium claim:

Pamela Edwards

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian, conservator):

Pamela Edwards, as Legal Guardian of Xavier Block

4. Plaintiff's/Deceased Party's state(s) of residence at the time of implant:

## Missouri

5. Plaintiff's/Deceased Party's state(s) of residence at the time of injury:

## Missouri

1       6. Plaintiff's current state(s) of residence:

2              Missouri

3       7. District Court and Division in which venue would be proper absent direct filing:

4              United States District Court for the District of Missouri

5       8. Defendants against whom Complaint is made:

6               C.R. Bard, Inc.

7               Bard Peripheral Vascular, Inc.

8       9. Basis of Jurisdiction:

9               Diversity of Citizenship

10           Other:

11              a. Other allegations of jurisdiction and venue not expressed in Master Complaint:

12              N/A  
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16       10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a

17              claim (Check applicable Inferior Vena Cava Filter(s)):

18               Recovery® Vena Cava Filter

19               G2® Vena Cava Filter

20               G2® Express (G2®X) Vena Cava Filter

21               Eclipse® Vena Cava Filter

- Meridian® Vena Cava Filter
  - Denali® Vena Cava Filter
  - Other: \_\_\_\_\_

11. Date of Implantation as to each product: 2/4/2008

**12. Counts in the Master Complaint brought by Plaintiff(s):**

- Count I: Strict Products Liability — Manufacturing Defect
  - Count II: Strict Products Liability — Information Defect (Failure to Warn)
  - Count III: Strict Products Liability — Design Defect
  - Count IV: Negligence — Design
  - Count V: Negligence — Manufacture
  - Count VI: Negligence — Failure to Recall/Retrofit
  - Count VII: Negligence — Failure to Warn
  - Count VIII: Negligent Misrepresentation
  - Count IX: Negligence *Per Se*
  - Count X: Breach of Express Warranty
  - Count XI: Breach of Implied Warranty
  - Count XII: Fraudulent Misrepresentation
  - Count XIII: Fraudulent Concealment

- Count XIV: Violations of Applicable Maryland Law Prohibiting Consumer Fraud and Unfair and Deceptive Trade Practices
  - Count XV: Loss of Consortium
  - Count XVI: Wrongful Death
  - Count XVII: Survival
  - Punitive Damages
  - Other(s): \_\_\_\_\_ (please state the facts supporting this Count in the space immediately below)

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13. Jury Trial demanded for all issues so triable?

- Yes  
 No

1 Respectfully submitted this August 28, 2020.

2        /s/ Marlene J. Goldenberg  
3        Stuart L. Goldenberg (*pro hac vice*)  
4        Marlene J. Goldenberg (*pro hac vice*)  
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10      *Attorneys for Plaintiffs*

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